

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 067305.000005

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### RAILWAY DIAMOND WEDGE CROSSING WITH REVERSIBLE BEAM CASTINGS

We hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

NUMBER

DATE FILED

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### PRIOR FOREIGN APPLICATION(S)

NUMBER

COUNTRY

DATE FILED

PRIORITY CLAIMED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_ YES \_\_\_ NO

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 37, Code of Federal Regulations, Sec. 1.56(a), which occurred between

the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application No: \_\_\_\_\_  
PCT Parent Application No: \_\_\_\_\_

Filing Date: \_\_\_\_\_  
Filing Date: \_\_\_\_\_

The undersigned, being the inventor(s) named in the above-identified patent application, hereby appoints:


**Bradley, James E., Reg. No. 27,536;**  
**Brown, Kimberly, Reg. No. 48,698;**  
**Davis, J. Wendy, Reg. No. 46,393;**  
**Kimball, Jr., Albert B., Reg. No. 25,689;**  
**Noe, Jr., Michael E., Reg. No. 44,975;**


**Rhebergen, Constance G., Reg. No. 41,267;**  
**Rowald, Kent A., Reg. No. 34,005;**  
**Tobor, Ben D., Reg. No. 27,760;**  
**Whittle, Jeffrey S., Reg. No. 36,382.**

jointly and severally, as their attorney or agent, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, and to transact all business in the U.S. Patent and Trademark Office in connection therewith and to receive the Letters Patent. All previous powers, if any, are hereby revoked.

Please direct all correspondence to:  
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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the publication or any patent issued thereon.

FIRST INVENTOR'S NAME: **Russell R. Hein**  
SIGNATURE:   
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FIRST INVENTOR'S NAME: **Robert C. Roberts, Jr.**  
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FIRST INVENTOR'S NAME: **Brian Weaver**

SIGNATURE: 

DATE: Sept. 8, 2003

RESIDENCE: **6089 Kingsgate Drive, Burlington, Kentucky 41005**

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